

REMARKS

Initially, Applicant would like to express appreciation to the Examiner for the detailed Official Action provided. Upon entry of the present amendment, the claims 1, 21 and 23 will have been amended, claims 6-19 will have been canceled, and claims 24-32 will have been added for consideration by the Examiner. Claims 1-5 and 20-32 are pending in the present application for consideration by the Examiner.

The Examiner has rejected claims 1-5 and 20-23, under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,141,678 to BLUM, finding that this reference teaches all of the limitations of the above claims.

Applicant respectfully traverses the Examiner's rejection. With respect to the Examiner's rejection of independent claim 1, Applicant submits that this reference fails to teach or disclose at least the surface shape of the resin-molded surface layer conforming to but not identical to the predetermined shape of the base member, as claimed in independent claim 1; the surface layer surface configuration conforming but not identical to the base member surface configuration, as claimed in independent claim 21, or the aspherical surface of the resin-molded surface layer conforming but not identical to the spherical surface of the base member, as claimed in independent claim 23. To the contrary, the surface shape of the molded layer 15 of BLUM, as shown, *inter alia*, in Figs 1 and 2, while different from that of the base member 10, *does not* correspond to the surface shape of the base member but

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rather corresponds to the surface shape of the casting surface master. *See, e.g.*, col. 3, lines 5-8 of BLUM.

By providing such a claimed configuration, the resin-molded surface layer can be made thin, which significantly reduces the risk of deformation of the resin-molded layer due to condensation polymerization of the resin during hardening. Also, by providing such a claimed method wherein the surface of a resin-molded surface layer (corresponding to a shape of a surface of a lens to be produced) conforms but is not identical to the surface shape of the base member, the thickness of the resin-molded surface layer is allowed to vary only in accordance with the aspheric component of the resin-molded surface layer. Thus, while the surface of the resin-molded surface layer conforms to (*i.e.*, is similar to) the surface of the base member, the upper surface of the resin-molded surface layer is still different from the base member. It is thus submitted that the present claimed invention is patentably distinct from BLUM and the other reference of record. 10

Absent a disclosure in a single reference of each and every element cited in a claim, a *prima facie* case of anticipation cannot be made under 35 U.S.C. § 102. Since the applied references fail to disclose each and every element recited in independent claims 1, 21 and 23, these claims, and the claims dependent therefrom, are not anticipated thereby.

With respect to rejected dependent claims 2-5, 20 and 22, these claims are dependent from one of claims 1 or 21, which are allowable for at least the reasons discussed *supra*,

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these dependent claims (as well as new claims 24-32) are also allowable for at least these reasons. Further, all dependent claims recite additional features which further define the present invention over the references of record. For example, with respect to new dependent claims 24-26, which recite that the thickness of the resin-molded surface layer is less than the thickness of the base member, in BLUM the molded layer 15, as shown, *inter alia*, in Figs 1 and 2, is *thicker* than the base member 10.

Accordingly, the Examiner is respectfully requested to indicate the allowance of the independent claims, as well as all pending dependent claims, under 35 U.S.C. § 102.

Further, Applicant asserts that the above-discussed amendments to the claims do not raise new issues that require the Examiner to conduct an additional search. Thus, Applicant respectfully submits that each and every pending claim of the present application meets the requirements for patentability under 35 U.S.C. § 102, and respectfully requests the Examiner to indicate the allowance of each and every pending claim in the present application.

SUMMARY AND CONCLUSION

In view of the foregoing, it is submitted that the present amendment is in proper form and that none of the references either taken together or taken alone in any proper combination thereof, anticipate or render obvious Applicant's invention. In addition, the applied references of record have been discussed and distinguished, while significant features of the present invention have been pointed out. Accordingly, consideration of the present amendment, reconsideration of the outstanding Official Action and allowance of the present application and all of the claims therein are respectfully requested and are now believed to be appropriate.

Applicant notes that this amendment is being made to advance prosecution of the application to allowance, and with respect to the claimed features argued as deficient in the prior art, should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

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Should the Examiner have any questions or comments regarding the present response, or this application, the Examiner is respectfully requested to contact the undersigned at the below listed telephone number.

Respectfully submitted,
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